

Entry of the amendments to claims is proper under 37 C.F.R. §1.116 because the amendments: (a) place the application in condition for allowance, for all the reasons discussed herein; and (b) do not raise any new issues requiring further search for consideration. That is, as discussed above, the amendments are merely for clarification purposes.

The Office Action objects to the drawings under 37 C.F.R. §1.83(a). This objection is respectfully traversed.

Applicants submit that the partition as recited in claims 14 and 19 are shown in the drawings in at least Fig. 8. The Examiner's attention is directed to partition 983, for example. Such feature is thus shown in the drawings. Accordingly, Applicants request withdrawal of the objection to the drawings under 37 C.F.R. §1.83(a).

The Office Action rejects claim 8 under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Claim 8 recites a transparent plate being made of the substrate material used in making the substrates. Such language, given its ordinary English-language meaning is clear, i.e., the transparent plate and the substrates are made using the substrate material.

Applicants submit that under 35 U.S.C. §112, second paragraph, Applicants are required to claim subject matter which Applicants regard as their invention. A rejection based on the failure to satisfy this requirement is appropriate only where Applicant has stated, somewhere other than the application as filed, that the invention is somewhat different than what is defined by the claims. In other words, the invention set forth in the claims must be presumed, in the absence of evidence to the contrary, to be that which Applicants regard as the invention. The Examiner's attention is respectfully directed to MPEP 2172, and *In re Moore*, 439 F.2d 1232, 169 USPQ 236 (CCPA 1971).

Further, as set forth in the MPEP, breath of a claim is not to be equated with indefiniteness. If the scope of the subject matter embraced by the claim is clear, and if Applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claim, then the claims comply with 35 U.S.C. §112, second paragraph. The Examiner's attention is respectfully directed to MPEP 2173.04.

Accordingly, claim 8, which recites a transparent plate being made of the substrate material used in making the substrates, is not indefinite. Applicant requests withdrawal of the rejection of claim 8 under 35 U.S.C. §112, second paragraph.

The Office Action rejects claims 1, 2, 4 and 6-9 under 35 U.S.C. §102(b) over Yamada (U.S. Patent No. 5,508,834). This rejection is respectfully traversed.

Applicants submit that Yamada does not disclose or suggest an optical modulation device, and a transparent plate formed on at least one surface of the optical modulation device, as recited in amended claim 1. .

In Yamada, a TFT substrate 2 and a CF substrate 3 are bonded together, and a liquid crystal layer 5 is held in the gap therebetween. See col. 3, lines 60-64 of Yamada, for example. Contrary to Office Action's assertions, the liquid crystal 5 is not an optical modulation device, and does not even comprise a surface wherein a transparent plate is formed thereon. That is, as well-known by one of ordinary skill in the art, the liquid crystal 5 is a material.

Furthermore, Yamada does not disclose or even suggest a transparent plate formed on an optical modulation device. In fact, contrary to the Office Action's assertions, as discussed in col. 6, lines 6-22, the elements 16 and 17 of Yamada are light-shielding plates. These plates are merely frames having an aperture at the center.

Accordingly, claim 1 is not anticipated by Yamada. Because claims 2, 4 and 6-9 depend from claim 1, claims 2, 4 and 6-9 also are not anticipated by Yamada.

The Office Action rejects claims 14-16 under 35 U.S.C. §102(b) over Williams. This rejection is respectfully traversed.

Applicants submit that Williams does not disclose or suggest a projection unit that magnifies and projects the light flux modulated by a plurality of optical modulation devices, and a partition that surrounds the plurality of optical modularization devices and a prism via an air layer and thereby separates the plurality of optical modulation devices and prism from the light source and the projection unit, as recited in amended claim 14. In fact, in Williams, there is no partition that separates any optical modulation element or prism from a light source in the projection unit.

As seen in Williams, the projector is the entire apparatus, and is not and cannot be separated from any other components within the projector. Furthermore, in Williams, there is no plurality of modulation devices and prism surrounded by a partition.

Accordingly, claim 14 is not anticipated by Williams. Because claims 15 and 16 depend from claim 14, claims 15 and 16 also are not anticipated by Williams.

The Office Action rejects claim 5 under 35 U.S.C. §103(a) over Yamada and Hashizume (U.S. Patent No. 5,865,521). This rejection is respectfully traversed.

As discussed above, Yamada does not disclose or suggest the features of claim 4. As discussed, Yamada does not even disclose an optical modulation device having a surface.

Moreover, Hashizume does not disclose or suggest the features of claim 4 missing from Yamada. In fact, Hashizume also does not disclose or suggest a transparent plate formed on a surface of an optical modulation device. Thus, even combined, Yamada and

Hashizume do not disclose or suggest the features of claim 4. Because claim 5 depends from claim 4, claim 5 would not have been obvious over Yamada and Hashizume.

The Office Action rejects claims 3 and 10 under 35 U.S.C. §103(a) over Yamada and Yamazaki (U.S. Patent No. 5,212,573). This rejection is respectfully traversed.

As discussed above, Yamada does not disclose or suggest the features of claims 1 and 4. Further, Yamazaki does not disclose or suggest these features of claims 1 and 4 missing from Yamada. In fact, Yamazaki does not disclose or suggest any transparent plates. Accordingly, even if combined, Yamada and Yamazaki do not disclose or suggest the features of claims 1 and 4. Because claim 3 depends from claim 1 and claim 10 depends from claim 4, claims 3 and 10 would not have been obvious over Yamada and Yamazaki.

The Office Action rejects claims 11-13 under 35 U.S.C. §103(a) over Yamada and Fujimori (U.S. Patent No. 5,868,485). This rejection is respectfully traversed.

As discussed above, Yamada does not disclose or suggest the features of claim 4. Further, Fujimori does not disclose or suggest the features of claim 4 missing from Yamada. In fact, Fujimori does not disclose or suggest any transparent plate formed on a surface of an optical modulation device. Thus, even if combined, Yamada and Fujimori do not disclose or suggest the features of claim 4. Because claims 11-13 depend from claim 4, claims 11-13 would not have been obvious over Yamada and Fujimori.

The Office Action rejects claim 17 under 35 U.S.C. §103(a) over Williams and Yamazaki. This rejection is respectfully traversed.

As discussed above, Williams does not disclose or suggest the features of claim 14. Moreover, Yamazaki does not disclose or suggest the feature of claim 14 missing from Williams. In fact, Yamazaki does not disclose or suggest any partition. Thus, even if combined, Williams and Yamazaki do not disclose or suggest the features of claim 14.

Because claim 17 depends from claim 14, claim 17 would not have obvious over Williams and Yamazaki.

The Office Action rejects claims 18 and 19 under 35 U.S.C. §103(a) over Yamada and Williams. This rejection is respectfully traversed.

Applicants submit that Yamada does not disclose or suggest a transparent plate formed on a light emitting surface of the optical modulation device, as recited in amended claim 18. As discussed above, the liquid crystal 5 is not an optical modulation device, and does not even comprise a surface wherein a transparent plate is formed thereon.

Moreover, Williams does not disclose or suggest the feature of claim 18 missing from Yamada. In fact, Williams does not disclose or suggest any transparent plate formed on a light emitting surface of an optical modulation device. Thus, even if combined, Yamada and Williams do not disclose or suggest the features of claim 18.

Yamada also does not disclose or suggest an optical modulation device, and a partition that surrounds the optical modulation device, as recited in amended claim 19. As discussed above, in Yamada, there is no optical modulation device.

Moreover, Williams does not disclose or suggest the feature of claim 19 missing from Yamada. As discussed above, Williams does not disclose or suggest any partition. Thus, even if combined, Yamada and Williams do not disclose or suggest the features of claim 19.

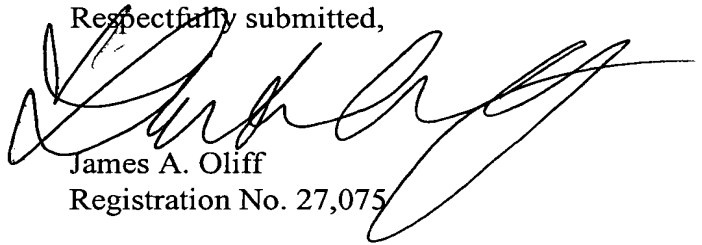
For at least the above reasons, Applicants submit that claims 1, 2, 4 and 6-9 are not anticipated by Yamada, claims 14-16 are not anticipated by Williams, claim 5 would not have been obvious over Yamada, claims 3 and 10 would not have been obvious over Yamada and Yamazaki, claims 11-13 would not have been obvious over Yamada and Fujimori, claim 17 would not have been obvious over Williams and Yamazaki, and claims 18 and 19 would not have been obvious over Yamada and Williams. Accordingly, Applicants request withdrawal

of the rejections of claims 1, 2, 4, 6-9 and 14-16 under 35 U.S.C. §102 and the rejection of claims 3, 5, 10-13 and 17-19 under 35 U.S.C. §103.

Applicants submit that the application is in condition for allowance. Prompt consideration and due allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this Application in even better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number listed below.

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